

1 BILL NO. S-92-01-*06*

2 1 SPECIAL ORDINANCE NO. S- 07-92

3 2 AN ORDINANCE approving the awarding  
4 3 of Reference #1590 by the City of  
5 4 Fort Wayne, Indiana, by and through  
5 5 its Department of Purchasing and U.S.  
5 6 STANDARD SIGN for the Traffic  
5 7 Engineering Department.

6 8 NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL  
7 9 OF THE CITY OF FORT WAYNE, INDIANA;

10 10 SECTION 1. That Reference #1590 between the City of  
11 11 Fort Wayne, by and through its Department of Purchasing  
12 12 and U.S. STANDARD SIGN for the Traffic Engineering  
13 13 Department, respectfully for:

14 14 the purchase of traffic sign faces  
15 15 for 1992 for the Traffic Engineering  
16 16 Department;

17 17 involving a total cost of Twenty Thousand and no/100+/-  
18 18 (\$20,000.00+/-), all as more particularly set forth in  
19 19 said Reference #1590 which is on file in the Office of the  
20 20 Department of Purchasing, and is by reference incorporated  
21 21 herein, made a part hereof, and is hereby in all things  
22 22 ratified, confirmed and approved.

23 23 SECTION 2. That this Ordinance shall be in full  
24 24 force and effect from and after its passage and any and  
25 25 all necessary approval by the Mayor.

26 26 Mark E. Giavunta  
27 27 Council Member

28 28 APPROVED AS TO FORM  
29 29 AND LEGALITY

30 30 J. Timothy McCaulay  
31 31 J. Timothy McCaulay, City Attorney

32

REFERENCE NO.: 1590  
DEPARTMENT: TRAFFIC ENGINEERING  
DATE: 12/10/91  
ITEM/SERVICE: TRAFFIC SIGN FACES  
ADVERTISED BID: YES  
DATES ADVERTISED: 11/12/91 & 11/19/91  
DATE OPENED: 12/2/91  
WRITTEN QUOTE:  
DATE DUE:  
VERBAL QUOTE:  
SINGLE SOURCE:  
NO. OF VENDORS NOTIFIED: 7  
NO. OF VENDORS RECEIVING BID: 5  
NO. OF VENDORS RETURNING BID: 4  
NO. OF VENDORS DISQUALIFIED: 0  
NO. OF VENDORS NOT RESPONDING: 1  
DATE SENT TO DEPT FOR RECOMM: 12/2/91  
DATE RECOMM RECEIVED BACK: 12/6/91  
DATE SENT TO LAW DEPARTMENT: 12/10/91  
INTRODUCTION DATE: 1/7/92  
DISCUSSION DATE: 1/14/92  
PASSAGE DATE: 1/21/92

REFERENCE NO. 1590  
TRAFFIC SIGN FACES  
12/2/91

ITEM/DESCRIPTION	US STANDARD	ROCAL INC	HALL SIGNS	3M
EG SIGN FACES 1 COLOR PER SQ FT	\$0.94	\$1.00	\$0.99	\$1.80
H I SIGN FACES 1 COLOR PER SQ FT	\$4.04	\$4.09	\$4.05	\$4.66

FRONT PAGE/INVITATION TO BID  
DEPARTMENT OF PURCHASING  
CITY OF FORT WAYNE, ALLEN COUNTY, INDIANA  
ONE MAIN STREET - ROOM 350  
PHONE 219-427-1101

BID OPENING DATE 12-2-91 @ 11:00 AM BID REFERENCE # 1590

SEALED BIDS SHOULD BE DELIVERED TO DEPARTMENT OF PURCHASING, ROOM 350, CITY-COUNTY BUILDING UP TO 11:00 A.M. ON OR BEFORE OPENING DATE.

SEALED BIDS WILL BE OPENED PUBLICLY AT 11:01 A.M. IN THE BOARD OF WORKS & SAFETY CONFERENCE ROOM ON THE THIRD FLOOR OF THE CITY-COUNTY BUILDING. "NO LATE BIDS WILL BE ACCEPTED AFTER 11:00 A.M. FOR ANY REASON WHATSOEVER".

THIS INVITATION FOR BID IS FOR MISC QUANTITIES OF VARIOUS SIZES & COLORS OF UNIFORM TRAFFIC SIGN FACES PER SPECIFICATIONS  
AND REQUESTED BY TRAFFIC ENGINEERING DEPT

THIS BID REQUIRES A XXX \$500.00 BID BOND, CERTIFIED OR CASHIER'S CHECK OF ALL BIDDERS.

THIS BID REQUIRES A        100% PERFORMANCE BOND OF SUCCESSFUL BIDDER(S).

PROMPT PAYMENT DISCOUNTS WILL BE ALLOWED AS FOLLOWS:       %  
IF PAID WITHIN        DAYS.

THIS INVITATION IS ISSUED TO ESTABLISH A CONTRACT TO SUPPLY THE CITY OF FORT WAYNE WITH A COMMODITY OR SERVICE IN ACCORDANCE WITH ACCOMPANYING SPECIFICATIONS.

THE EXECUTION HEREOF BY THE BIDDER IS ACCEPTANCE OF ALL TERMS AND CONDITIONS HEREIN AND IN THAT REGARD THE BIDDER AGREES TO BE BOUND BY SAME AND BE BOUND TO THE AMOUNT OF HIS/HER BID FOR A PERIOD OF NINETY (90) DAYS.

FIRM NAME U.S. Standard Sign

STREET ADDRESS 310 Wade St.

CITY Toledo PHONE # 800-537-4790

BY S. J. Land  
REPRESENTATIVE SIGNATURE

BID, OFFER OR PROPOSAL FOR SALE OR LEASE OF MATERIALS

(Defined at I.C. 36-1-2-9.5)  
(Please type or print)

Date: 7-21-91

1. Governmental Unit:	Date: 11/21/91
2. County:	
3. Bidder (Firm):	761 Standard Sign
Address:	100 Bay 4005
City/State:	Toledo OH 43609
4. Telephone Number:	800-557-4790
5. Agent of Bidder (if applicable):	

Pursuant to notices given, the undersigned offers bid(s) to \_\_\_\_\_ (Gov-  
ernmental Unit) in accordance with the following attachment(s) which specify the class or item number or  
description, quantity, unit, unit price and total amount.

The contract will be awarded by classes or items, in accordance with specifications. Any changes or alterations in the items specified will render such bid void as to that class or item. Bidder promises that he has not offered nor received a less price than the price stated in his bid for the materials included in said bid. Bidder further agrees that he will not withdraw his bid from the office in which it is filed. A certified check or bond shall be filed with each bid if required, and liability for breach shall be enforceable upon the contract, the bond or certified check or both as the case may be. 11-1-1

§ 890.201(a) of the ADA

Signature of Bidder or Agent  
JES(Ncd) Howard

**BID OFFER OR PROPOSAL**

Following is an example of the bid format:

Class or Item	Quantity	Unit	Description	Unit Price	Amount
EG faces			• 94 1Color		
			1.04 2c		
			1.24 3c		
Hilal faces			4.04 NON-COLLUSION AFFIDAVIT		
Ohio			4.14 1 Color		
STATE OF OHIO, )			4.14 2 color		
) SS:			4.34 3 color		
) COUNTY )					

The undersigned bidder or agent, being duly sworn on oath, says that he has not, nor has any other member, representative, or agent of the firm, company, corporation or partnership represented by him, entered into any combination, collusion or agreement with any person relative to the price to be bid by anyone at such letting nor to prevent any person from bidding nor to induce anyone to refrain from bidding, and that this bid is made without reference to any other bid and without any agreement, understanding or combination with any other person in reference to such bidding.

He further says that no person or persons, firms, or corporation has, have or will receive directly or indirectly, any rebate, fee, gift, commission or thing of value on account of such sale.

U. S. Standard Sign  
→ Bidder (Firm)

#### Plantae et animalia

Subscribed and sworn to before me this 27th day of

My Commission Expires: January 1, 1945

CHRISTINE M. WEST  
Notary Public

My Commission Expires May 14, 1992

CHRISTINE M. WEST  
Notary Public Printed Name

### ACCEPTANCE

There now being sufficient unbonded appropriated funds available, the contracting authority of \_\_\_\_\_ (Governmental Unit) hereby accepts the terms of the attached bid for classes or items numbered \_\_\_\_\_ and promises to pay the undersigned bidder upon delivery the price quoted for the materials stipulated in said bid.

**Contracting Authority Members:**

Dates:

Pricing - Invoicing

The bidder's prices shall include all delivery charges and be submitted in the bidders proposal section included herein. Invoices must be submitted to the using department together with the City's standard claim form for that department.

Estimated Quantity

Various types of reflective sheeting and sign faces in the amount of approximately twenty thousand dollars (\$20,000.00) or less. A price list, discount sheet and catalog will be acceptable for the purpose of determining the award.

Optional Renewal

By mutual agreement between the City and the vendor, the contract period may be extended for an additional period not to exceed one (1) year. However, the agreement to extend must be completed in writing not less than fifteen (15) days prior to January 1, 1993. The contract may be extended only at the same price and under the same conditions governing the original contract. Estimated quantities for the optional renewal period herein are approximately the same estimated quantities set forth for the initial contract period. As stated above, the estimated quantities shall in no way govern the order quantities required during any optional renewal period.

FOB: Fort Wayne

Delivery Time ARO: 30-60 Days ARO

Term of Agreement: FROM TIME OF AWARD THRU 12-31-92



## BID BOND

KNOW ALL MEN BY THESE PRESENTS:

That, ..... Mandel Metals, Inc. (U.S. Standard Sign/Div. of Lednam, Inc.) .....  
 of ..... Toledo ..... , State of ..... Ohio .....  
 hereinafter called the Principal, and ..... Continental Insurance Company .....  
 hereinafter called the Surety, are held and firmly bound unto ..... City of Fort Wayne .....  
 of ..... , State of ..... Indiana .....  
 hereinafter called the Obligee, in the sum of ~~five hundred dollars~~ <sup>\$500.00</sup> ..... Dollars;  
 for the payment whereof to the Obligee ..... the Principal bind ..... U.S. Standard Sign ..... heirs, executors,  
 administrators, successors, and assigns, and the Surety binds itself, its successors and assigns, firmly by these  
 presents.

Signed, sealed and dated this 27<sup>th</sup> day of November, 1991.

Whereas the Principal is herewith submitting the accompanying bid dated 11-07-91  
 for ..... Reflective Fines .....

Now, Therefore, the condition of this obligation is such that if the bid be accepted as to any or all of the items of material and workmanship proposed to be furnished thereby, or as to any portion of the same, and if the Principal will, within the period specified therefore, or, if no period be specified, within ten (10) days after notice of the award of the contract, enter into contract with the Obligee, to furnish all work and material at the prices offered by said bid, and will furnish bond with good and sufficient surety or sureties, as may be required, for the faithful and proper fulfillment of such contract, then this obligation shall be void. And the Surety hereby binds itself and its successors to pay to the Obligee, in case the Principal fails to enter into such contract, and give such bond within the period specified therefore, or, if no period be specified, within ten (10) days after such notice of award of contract the difference in money between the amount of the bid of the Principal on the work and material so accepted, and the amount for which the Obligee may contract with others for such work and material, if the latter amount be in excess of the former, but in no event shall the Surety's liability exceed the penal sum hereof.

In Witness Whereof, this instrument has been executed by the duly authorized representatives of the Principal and the Surety.

Mandel Metals, Inc.  
 (U.S. Standard Sign/Div of Lednam Inc.) (Seal)  
 Principal

By: ..... S. J. M. A. .....

..... Continental Insurance Company .....  
 Surety

By: ..... William F. Regan .....  
 William F. Regan  
 PO Box 2989  
 Toledo, OH 43606  
 Attorney

# The Continental Insurance Company

## GENERAL POWER OF ATTORNEY

Know all men by these Presents, That THE CONTINENTAL INSURANCE COMPANY has made, constituted and appointed, and by these presents does make, constitute and appoint

William F. Regan of Toledo, Ohio

its true and lawful attorney, for it and in its name, place, and stead to execute on behalf of the said Company, as surety, bonds, undertakings and contracts of suretyship to be given to

All Obligees

provided that no bond or undertaking or contract of suretyship executed under this authority shall exceed in amount the sum of

Five Hundred Thousand (500,000) Dollars

This Power of Attorney is granted and is signed and sealed by facsimile under and by the authority of the following Resolution adopted by the Board of Directors of the Company on the 13th day of January, 1989:

"RESOLVED, that the Chairman of the Board, the Vice Chairman of the Board, the President, an Executive Vice President or a Senior Vice President or a Vice President of the Company, be, and that each or any of them is, authorized to execute Powers of Attorney qualifying the attorney named in the given Power of Attorney to execute in behalf of the Company, bonds, undertakings and all contracts of suretyship; and that an Assistant Vice President, a Secretary or an Assistant Secretary be, and that each or any of them hereby is, authorized to attest the execution of any such Power of Attorney, and to attach thereto the seal of the Company.

FURTHER RESOLVED, that the signatures of such officers and the seal of the Company may be affixed to any such Power of Attorney or to any certificate relating thereto by facsimile, and any such Power of Attorney or certificate bearing such facsimile signatures or facsimile seal shall be valid and binding upon the Company when so affixed and in the future with respect to any bond, undertaking or contract of suretyship to which it is attached."

In Witness Whereof, THE CONTINENTAL INSURANCE COMPANY has caused its official seal to be hereunto affixed, and these presents to be signed by one of its Vice Presidents and attested by one of its Assistant Vice Presidents this 30 day of January, 1990.

Attest:



D.L. Banta, Assistant Vice President



THE CONTINENTAL INSURANCE COMPANY

By



Emil B. Askew, Vice President

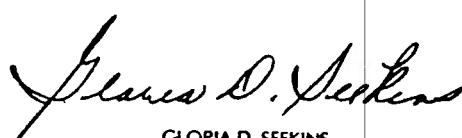
STATE OF CONNECTICUT

COUNTY OF HARTFORD

On this 30 day of January 1990 before me personally came Emil B. Askew, to me known, who being by me duly sworn, did depose and say that he is a Vice President of THE CONTINENTAL INSURANCE COMPANY, the corporation described in and which executed the above instrument; that he knows the seal of the said corporation; that the seal affixed to the said instrument is such corporate seal; that it was so affixed by order of the Board of Directors of said corporation and that he signed his name thereto by like order.



CERTIFICATE



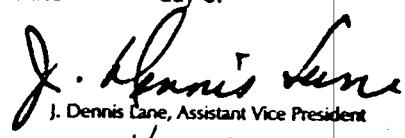
GLORIA D. SEEKINS  
NOTARY PUBLIC  
My Commission Expires March 31, 1993

I, the undersigned, an Assistant Vice President of THE CONTINENTAL INSURANCE COMPANY, a New Hampshire corporation, DO HEREBY CERTIFY that the foregoing and attached Power of Attorney remains in full force and has not been revoked; and furthermore that the Resolution of the Board of Directors, set forth in the said Power of Attorney, is now in force.

Signed and sealed at the town of Farmington, in the State of Connecticut. Dated the

day of

, 19

  
J. Dennis Lane, Assistant Vice President  
1/27/90

Read the first time in full and on motion by Gia Quinta, seconded by Bradbury, and duly adopted, read the second time by title and referred to the Committee on Planning (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Common Council Conference Room 128, City-County Building, Fort Wayne, Indiana, on 19, the 1 o'clock M., E.S.T. of

DATED: 1-14-92

Sandra E. Kennedy

SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Gia Quinta, seconded by Talarico, and duly adopted, placed on its passage. PASSED POST by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT
<u>TOTAL VOTES</u>	<u>8</u>			<u>1</u>
<u>BRADBURY</u>	<u>✓</u>			
<u>EDMONDS</u>	<u>✓</u>			
<u>GiaQUINTA</u>	<u>✓</u>			
<u>HENRY</u>				<u>✓</u>
<u>LONG</u>	<u>✓</u>			
<u>LUNSEY</u>	<u>✓</u>			
<u>RAVINE</u>	<u>✓</u>			
<u>SCHMIDT</u>	<u>✓</u>			
<u>TALARICO</u>	<u>✓</u>			

DATED: 1-28-92

Sandra E. Kennedy

SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ANNEXATION) (APPROPRIATION) (GENERAL) (SPECIAL) (ZONING) ORDINANCE RESOLUTION NO. 1-07-92 on the 28th day of January, 19 92

ATTEST:

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

(SEAL)

John J. Schmidt  
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 25th day of January, 19 92, at the hour of 1:30 o'clock P.M., E.S.T.

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 3rd day of February, 19 92, at the hour of 3:00 o'clock P.M., E.S.T.

Paul Helmke  
PAUL HELMKE, MAYOR

BILL NO. S-92-01-06

REPORT OF THE COMMITTEE ON FINANCE

MARK E.GIAQUINTA, CHAIRMAN  
CLETUS R. EDMONDS, VICE CHAIRMAN  
LUNSEY, LONG, RAVINE

WE, YOUR COMMITTEE ON FINANCE TO WHOM  
WAS REFERRED AN (ORDINANCE) (RESOLUTION) approving the  
awarding of Reference #1590 by the City of Fort Wayne, Indiana,  
by and through its Department of Purchasing and U.S. STANDARD  
SIGN for the Traffic Engineering Department

HAVE HAD SAID (ORDINANCE) (RESOLUTION) UNDER CONSIDERATION  
AND BEG LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID  
(ORDINANCE) (RESOLUTION)

DO PASS  DO NOT PASS  ABSTAIN  NO REC

DATED: 1-28-92.

Sandra E. Kennedy  
City Clerk

DIGEST SHEET

TITLE OF ORDINANCE: Special

DEPARTMENT REQUESTING ORDINANCE: Purchasing

SYNOPSIS OF ORDINANCE: An ordinance approving the award of Ref. No. 1590 for the purchase of traffic sign faces for the Traffic Engineering Department for 1992. The costs reflect the lowest and most responsive of four (4) vendors.

IF NOT LOWEST, WHO WAS AND WHY WERE THEY NOT AWARDED:

EFFECT OF PASSAGE: Used in the fabrication of traffic signs installed at locations throughout the City.

IF REPLACEMENT, WHAT NECESSITATES:

EFFECT ON NON-PASSAGE: No signs for maintenance of traffic control system.

PRIOR APPROVAL REQUESTED: NO DATE:

MONIES INVOLVED: U S Standard Sign \$20000.00+/-

PRICE AGREEMENT: YES PURCHASE ORDER:

ACCOUNT INFORMATION: Traffic Eng. 138-011-OFFC-4264

*S-92-01-06*